

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 13, 16, and 19-28 are pending in the application, of which claims 13, 16, 22, 24, and 27 are independent. By the foregoing Amendment, claim 22 is sought to be amended. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 102

The Examiner, on page 2 of the Office Action, has rejected claims 13, 16, and 19-28 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,519,636 to Engel *et al.* (hereinafter "Engel"). Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

To anticipate a claim of a pending application, a single reference must disclose each and every element of the claimed invention. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1397 (Fed. Cir. 1986). The exclusion of a claimed element from the single source is enough to negate anticipation by that reference. *Atlas Powder Co. v. E.I. du Pont de Nemours & Co.*, 750 F.2d 1569, 1574 (Fed. Cir. 1984).

With respect to independent claim 13, Engel does not teach or suggest every element of Applicants' claimed invention. For example, referring to independent claim 13, Engel does not teach at least the following claimed elements:

a *security association negotiator* responsive to the client processor opening a socket at a node of the communication network, to correlate the socket with a *security association* based on the determined security classifier; and

a network interceptor to couple the client processor with the transmission control protocol, wherein the network interceptor responds to the socket being closed by determining whether any other socket is correlated with the *security association*, and if it is determined that no other socket is correlated with the *security association*, deleting the *security association*.

The present invention teaches a security association and a security association negotiator. Unlike the present invention, Engel teaches an association, not a security association. Engel's association is a bidirectional association between rule sets and sockets. *Engel*, col. 10, lines 22-34. The rules sets of Engel "comprise but are not limited to any one or more of the following: rule types controlling the frequency and spacing with which packets or data [are] delivered, rule types controlling security features of a transmission." *Engel*, col. 8, lines 18-22. Thus, with Engel, the security features are found in the rule, not the association. In fact, Engel teaches away from security associations by indicating in the Statement Of Problems With The Prior Art that the process of setting up a security association is a computationally expensive process. *Engel*, col. 4, lines 32-44.

Thus, for at least the foregoing reasons, Applicants respectfully submit that independent claim 13 and the claims that depend therefrom (claims 20-21) are not anticipated by Engel. Applicants' independent claims 16, 22, 24, and 27 recite similar elements to the elements of claim 13, and therefore, are also not anticipated by Engel. Thus, for at least the foregoing reasons, Applicants respectfully submit that independent claims 13, 16, 22, 24, and 27, and the claims that depend therefrom (claims 20-21, 19, 23, 25-26, and 28, respectively), are not anticipated by Engel. Applicants respectfully

request that the Examiner reconsider and withdraw the rejection of independent claims 13, 16, 22, 24, and 27, and the claims that depend therefrom.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

Intel Corporation

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